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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

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11 **EDBALDO VASQUEZ ROBLERO,**  
12 **Plaintiff,**

13 **vs.**

14 **CAL-WESTERN RECONVEYANCE**  
15 **CORPORATION; AMERICA'S**  
16 **SERVICING COMPANY, and DOES**  
17 **1-50, inclusive,**  
18 **Defendants.**

Case No. CV09-00126 R (SHx)  
Hon. Manuel L. Real  
Cttrm 8 - Spring Street

~~**(PROPOSED)**~~ **JUDGMENT**

Complaint filed: December 5, 2008

19 The motions of Defendant Wells Fargo Bank, N.A. dba America's Servicing  
20 Company (erroneously sued as America's Servicing Company) ("Wells Fargo") to  
21 (1) dismiss Plaintiff Edbaldo Vasquez Roblero's complaint pursuant to Federal  
22 Rule of Civil Procedure 12(b)(6) and 12(e) for failure to state a claim upon which  
23 relief can be granted and (2) expunge lis pendens came on regularly for hearing on  
24 March 30, 2009 at 10:00 a.m. before the Honorable Manuel L. Real. Jarlath M.  
25 Curran, II of the Law Firm of Severson & Werson appeared on behalf of Defendant  
26 Wells Fargo. There were no appearances by or on behalf of Plaintiff.  
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1 After considering the moving papers as well as all opposition papers, if any,  
2 and good cause appearing:

3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Wells  
4 Fargo's motion to dismiss is granted.

5 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that  
6 Plaintiff's complaint is dismissed with prejudice as to Wells Fargo Bank, N.A. dba  
7 America's Servicing Company (erroneously sued as America's Servicing  
8 Company). Plaintiff is to recover nothing from Wells Fargo.

9 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that MW  
10 Roth PLC and or Mitchell Roth, jointly and severally, shall reimburse Plaintiff any  
11 monies paid to file or pursue this lawsuit.

12 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that MW  
13 Roth PLC and or Mitchell Roth, jointly and severally, shall pay Wells Fargo the  
14 sum of \$2,635.83, which constitutes the attorney's fees and costs incurred by Wells  
15 Fargo in defending this action.

16 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the  
17 Notice of Pendency of Action (Lis Pendens) recorded on December 8, 2008 in the  
18 Official Records of the Los Angeles County Recorder's Office as Instrument  
19 Number 20082155351 is hereby expunged.

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22 DATED: June 1, 2009

  
HONORABLE MANUEL L. REAL